

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 6 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

OLE HOUGEN,

Defendant-Appellant.

No. 21-10369

D.C. No.

5:20-cr-00432-EJD-1

Northern District of California,
San Jose

ORDER

Before: GOULD and IKUTA, Circuit Judges, and KORMAN,* District Judge.

Appellant's petition for rehearing *en banc* has been circulated to the full court and referred to this panel pursuant to Ninth Circuit General Orders 5.4(a) and (b). Judge Gould would deny Appellant's petition for rehearing *en banc*, Judge Korman would recommend denial, and Judge Ikuta would grant the petition.

The full court has been advised of Appellant's petition for rehearing *en banc*, and no judge of the court has requested a vote on it.

Appellant's petition for rehearing *en banc*, Docket No. 70, is DENIED on behalf of the full court.

* The Honorable Edward R. Korman, United States District Judge for the Eastern District of New York, sitting by designation.